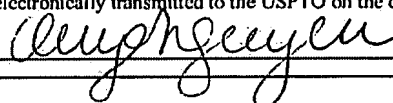


I hereby certify that this correspondence is being electronically transmitted to the USPTO on the date shown below.

Date: September 14, 2007

Signature: _____

 (Quyen Nguyen)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/798,776
Confirmation No.: 6449
Filing Date: March 10, 2004
Inventor(s): Thomas J. FOGARTY et al.
Title: IMPROVED DEVICE FOR ACCURATELY MARKING TISSUE
Examiner: J. Lacyk
Group Art Unit: 3735

RESPONSE TO NON-FINAL OFFICE ACTION

Mail Stop Amendment
Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the non-final Office Action dated June 14, 2007 for which a response is due on September 14, 2007. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the Remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.